

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marjorie Gan Valix

Serial No. Not yet assigned

Filed: October 10, 2003

For: **FOOD GRADE WAX AND PROCESS FOR PREPARING SAME**

(This is a Continuation Patent Application of U.S. Patent Application No. 09/402,362 filed October 4, 1999 which is a 371 application of PCT/AU98/00234 with an international filing date of April 7, 1998)

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

Continuation Patent Application consisting of:

- (1) Transmittal Letter;
- (2) Filing Form For Continuation U.S. Patent Application;
- (3) 14 page Continuation Application including:
 - 1 Cover sheet containing the Abstract,
 - 11 Pages of Textual Specification,
 - 2 Pages of 17 Claims,
 - 0 sheets of drawings;
- (4) PCT/IPEA/409 International Preliminary Examination Report with annexes of amended sheets to the claims to be examined;
- (5) Preliminary Amendment with Attachment A;
- (6) Copy of executed Declaration/Power of Attorney from parent application;
- (7) Copy of assignment and Notice of Recordation from parent application;
- (8) Check no. 19575 \$ 770.00 for filing fee;
- (9) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: _____

Gary M. Nath
Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Customer No. 20529

Date: October 10, 2003
NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
GMN/JLM/dd:CONTappl.trans



16563 U.S. PTO
101003

MAIL STOP PATENT APPLICATION
Attorney Docket No.: 23999X

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FILING FORM

FOR CONTINUATION U.S. PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

1. This is a Request for filing a
 X Continuation Application under:
 X 37 CFR § 1.53(b) (1)
 Divisional Application under:
 37 CFR § 1.53(b) (1)
 Continuation-In-Part (CIP) application
 37 CFR § 1.53(b) (2)

of **prior** ("parent") application:

Serial No. 09/402,362

Filed: October 4, 1999

Entitled: **FOOD GRADE WAX AND PROCESS FOR PREPARING THE SAME**

of **prior international** ("parent") application:

Serial No. PCT/AU98/00234

Filed: April 7, 1998

Entitled: **FOOD GRADE WAX AND PROCESS FOR PREPARING THE SAME**

2. X *Enclosed for application under 37 CFR §§ 1.53(b) are:
 14 pages of text (specification, claims, abstract)
 17 claims
 0 sheets of drawings

3. The **present** application names the following inventor(s):

Marjorie Gan Valix

___ Newly executed oath or declaration (original or copy)
will be submitted at a later date pursuant to 37 CFR
§§ 1.41, 1.53

X Copy from a prior application (37 CFR 1.52 (b))

___ (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

___ Enter the Amendment filed in the prior patent application on _____ prior to calculating the filing fee.

X Enter the enclosed Preliminary Amendment and the IPER Annexes of Amended Pages prior to calculating the filing fee.

(Col 1)		(Col 2)		SMALL ENTITY		OR	NON-SMALL ENTITY	
TOTAL	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	17	minus 20	0	x9=	0		x18=	0
INDEP	2	minus 3	2	x432=	0		x86=	0
BASE FILING FEE:				+385=	0		+770=	770
<u>xx</u> Multiple Dependent Claims				+145=	0		+290=	0
				TOTAL	0		TOTAL	770

___ Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:
___ was filed in the parent application, and small entity status
___ is still proper and desired ;
___ is asserted as allowed under 37 CFR § 1.27.

X A check including the above-indicated filing fee is enclosed.

X A Petition for Extension of Time (to keep the parent case pending) is being filed concurrently including the extension fee in the parent case.

___ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

___ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, and/or a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

X The prior application is assigned of record to JAMES COOK UNIVERSITY of Queensland, Australia, and CSR LIMITED of Brisbane, Queensland, Australia the Assignment being recorded on October 4, 1999, on Reel 010411, Frame(s) 0680.

___ An original executed Declaration is enclosed.

X Amend the specification by inserting before the first line the sentence:

-- This is a Continuation Patent Application of U.S. Patent Application No. 09/402,362 filed October 4, 1999 which is a 371 application of PCT/AU98/00234 with an international filing date of April 7, 1998 and claims priority to Australia Patent Application No. PO 6050 filed April 7, 1997, the entire contents of which are hereby incorporated by reference in their entirety.--

___ Benefit is claimed under 35 U.S.C. § 119(e) from _____(s) No. _____filed_____.

X Foreign priority under 35 U.S.C. § 119 of Australia application(s) PO 6050 , filed April 7, 1997, is hereby claimed.
The certified priority paper(s):
X was/were filed in the parent case;
___ is/are enclosed herewith;
___ will be submitted at a later date.

X The power of attorney in the prior application is to Gary M. Nath, et al., reg. 26,956 of NATH & ASSOCIATES PLLC.

X The power appears in the original papers in the prior application. A newly executed declaration will be submitted at a later date.

X Address all future communications to:

Gary M. Nath
NATH & ASSOCIATES PLLC
1030 15th Street, N.W.- 6th Floor
Washington, D.C. 20005

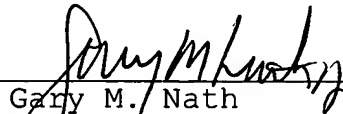
X If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

— The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: October 10, 2003



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Reg. No. 26,965
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